

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:92-HC-654-BR

UNITED STATES OF AMERICA,	)	
	)	
v.	)	<u>ORDER</u>
	)	
VICTOR B. PERKINS	)	
	)	
	)	

This matter is before the court on a pro se motion filed by respondent on 25 May 2010, seeking his “unconditional[] release . . . pursuant to Rule 23(c) of the Federal Rules of Appellate Procedure[.]” That rule is inapplicable to respondent, as it provides that “[w]hile a decision *ordering the release of a prisoner* is under review, the prisoner must . . . be released on personal recognizance . . . .” (emphasis added). There is no pending decision ordering respondent’s release, and the motion is DENIED. (See also 9/12/07 Order at 1 n.1 (reaching same conclusion upon respondent’s prior motion).)

This 28 May 2010.



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W. Earl Britt  
Senior U.S. District Judge

usa/vbp/tec